

## REMARKS

### 1. Independent Claims

In the Office action all claims 1, 9 and 17 were rejected as allegedly being obvious over Nykanen et al. in view of Thurston. Applicants submit that Thurston does not qualify as prior art pursuant to 35 USC section 103(C). Specifically, the instant application and Thurston are commonly assigned to Sun Microsystems, Inc. The assignment for Thurston is recorded at reel number 012923 and frame number 0804. The assignment for the instant application is recorded at reel number 014695 and frame number 0570. Based upon the disqualification of Thurston as prior art Applicants respectfully contend that a *prima facie* case of obvious is not present therefor.

### 2. Dependent Claims

Considering that the dependent claims include all of the features of the independent claims from which they depend, the dependent claims are patentable to the extent that the independent claims are patentable. As a result, Applicants respectfully contend that a *prima facie* case of either anticipation or obviousness is not present with respect to the dependent claims for the reasons set forth above with respect to the independent claims from which they depend.

Therefore, Applicants respectfully request further examination in view of the amendments and remarks set forth above. A Notice of Allowance is earnestly solicited. If any additional fees are due in connection with filing this

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Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP154). If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6910.

Respectfully submitted,

/Kenneth C. Brooks/

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